



CALIFORNIA STATE ASSEMBLY
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Fact Sheet

PROPOSED BILL

AB 237 closes a loophole that complicates criminal threat prosecution. This bill clarifies that it is criminal to threaten to commit a crime at a daycare, school, university, workplace, house of worship, or medical facility.

BACKGROUND

Under Penal Code 422, a threat is only illegal if it explicitly threatens to cause significant bodily injury or death to an individual and causes the victim to fear for their safety. Excluded in this definition are threats to commit a crime at buildings and institutions where many people could be harmed in the process.

In 2023, a man sent 350 emails threatening to commit a shooting at Shoal Creek Elementary School. Many parents pulled their children from school, some switched schools, and others continued to attend but with a renewed sense of fear. Although the threat was severe, the perpetrator is not being held accountable because California law does not criminalize threats made against buildings, even when it is obvious they contain people, and in this case, children. This is not an isolated incident.

PROBLEM

This loophole creates many issues, such as preventing law enforcement from obtaining warrants for those threatening to cause harm at such institutions, as probable cause requires evidence of a defined crime.

It also prevents prosecutors from charging those threatening to cause harm at institutions, such as schools, due to their unclear legal standing.

As a result, these threats can cause disproportionate and unacceptable fear among our residents. 63% of Californians are now concerned about becoming a victim

of crime, and the inability to hold perpetrators accountable certainly contributes to this.

The inability to act on threats has a secondary effect beyond diminishing public safety—it erodes trust in public institutions. Given that institutions are the most important factor to economic growth, a healthy democracy, and close communities, California must protect against threats to commit crimes at these institutions, which could prevent the public's participation and thus trust in them.

SOLUTION

This bill clarifies that it is a criminal offense to make a threat to commit a crime at a daycare, school, university, workplace, house of worship, medical facility, or public venue with reckless disregard is a criminal offense.

AB 237 strengthens public safety and allows for a commonsense solution to a serious and unfortunately common problem.

SUPPORT

The San Diego County District Attorney's Office
(Sponsor)

California Association of Highway Patrolmen

California District Attorneys Association

California Police Chiefs Association

California School Employees Association

Hindu American Foundation

League of California Cities

National Asian Pacific Islander Prosecutors Association

Santa Clara County District Attorney's Office

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